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MESSAGE.

Fellow citizens of the Senate and House of Representatives:

I congratulate you on the favorable circumstances in the condition of our country, under which you reassemble for the performance of your official duties. Though the anticipations of an abundant harvest have not every where been realized, yet, on the whole, the labors of the husbandman are rewarded with a bountiful return; industry prospers in its various channels of business and enterprise; general health again prevails through our vast diversity of climate; nothing threatens, from abroad, the continuance of external peace; nor has any thing at home impaired the strength of those fraternal and domestic ties which constitute the only guaranty to the success and permanency of our happy Union, and which, formed in the hour of peril, have hitherto been honorably sustained through every vicissitude in our national affairs. These blessings, which evince the care and beneficence of Providence, call for our devout and fervent gratitude.

We have not less reason to be grateful for other bounties bestowed by the same munificent hand, and more exclusively our own.

The present year closes the first half century of our Federal institutions; and our system—differing from all others in the acknowledged, practical, and unlimited operation which it has for so long a period given to the sovereignty of the people—has now been fully tested by experience.

The constitution devised by our forefathers as the framework and bond of that system, then untried, has become a settled form of Government; not only preserving and protecting the great principles upon which it was founded, but wonderfully promoting individual happiness and private interests. Though subject to change and entire revocation, whenever deemed inadequate to all these purposes, yet such is the wisdom of its construction, and so stable has been the public sentiment, that it remains unaltered except in matters of detail, comparatively unimportant. It has proved amply sufficient for the various emergencies incident to our condition as a nation. A formidable foreign war; agitating collisions between domestic and, in some respects, rival sovereignties; temptations to interfere in the intestine comm tions of neighboring countries; the dangerous influences that arise in periods of excessive prosperity; and the anti-republican tendencies of associated wealth—these, with other trials not less formidable, have all been encountered, and thus far successfully resisted.

It was reserved for the American Union to test the advantages of a Government entirely dependent on the continual exercise of the popular will; and our experience has shown that it is as beneficent in practice as it is just in theory. Each successive change made in our local institutions has contributed to extend the right of suffrage, has increased the direct influence of the mass of the community, given greater freedom to individual exertion, and restricted, more and more, the powers of Government; yet the intelligence, prudence, and patriotism of the people have kept pace with this augmented responsibility. In no country has education been so widely diffused. Domestic peace has nowhere so largely reigned. The close bonds of social intercourse have in no instance prevailed with such harmony over a space so vast.—All forms of religion have united, for the first time, to diffuse charity and piety, because, for the first time in the history of nations, all have been totalby untrammelled, and absolutely free. The deepest recesses of the wilderness have been penetrated; yet, instead of rudeness in the social condition consequent upon such adventures elsewhere, numerous communities have sprung up, already unrivalled in prosperity, general intelligence, internal tranquility, and the wisdom of their political institutions. Internal improvement, the fruit of individual enterprise, fostered by the protection of the States, has added new links to the confederation, and fresh rewards to provident industry. Doubtful questions of domestic policy have been quietly settled by mutual forbearance; and agriculture, commerce, and manufactures, minister to each other. Taxation and public debt, the burdens which bear so heavy upon all other countries, have pressed with comparative lightness upon us. Without one entangling alliance, our friendship is prized by every nation; and the rights of our citizens are every where respected, because they are known to be guarded by a united, sensitive, and watchful people.

To this practical operation of our institutions, so evident and successful, we owe that increased attachment to them which is among the most cheering exhibitions of popular sentiment, and will prove their best security, in time to come, against foreign or domestic assault.

This review of the results of our institutions, for half a century, without exciting a spirit of vain exultation, should serve to impress upon us the great principles from which they have sprung; constant and direct supervision by the people over every public measure; strict forbearance on the part of the Government from exercising any doubtful or disputed powers;—and a cautious abstinence from all interference with concerns which properly belong, and are best left to State regulations and individual enterprise.

Full information of the state of our foreign affairs having been recently, on two different occasions, submitted to Congress, I deem it necessary now to bring to your notice only such events as have subsequently occurred, or are of such importance as to require particular attention.

The most amicable dispositions continue to be exhibited by all the nations with whom the Government and citizens of the United States have an habitual intercourse. At the date of my last annual message, Mexico was the only nation which could not be included in so gratifying a reference to our foreign relations.

I am happy to be now able to inform you that an advance has been made towards the adjustment of our difficulties with that Republic, and the restoration of the customary good feeling between the two nations. This important change has been effected by conciliatory negociations, that have resulted in the conclusion of a treaty between the two Goverments, which when ratified, will refer to the arbitrament of a friendly power all the subjects of controversy between us growing out of injuries to individuals. There is, at present, also, reason to believe that an equitable settlement of all disputed points will be attained without further difficulty or unnecessary delay, and thus authorize the free resumption of diplomatic intercourse with our sister Republic.

With respect to the northeastern boundary of the United States, no official correspondence between this Government and that of Great Britain has passed since that communicated to Congress towards the close of their last session. The offer to negotiate a convention for the appointment of a joing commission of survey and exploration, I am, however, assured will be met by her Majesty's Government in a conciliatory and friendly spirit, and instructions to enable the British Minister here to conclude such an arrangement will be transmitted to him without needless delay. It is hoped and expected that these instructions will be of a liberal character, and that this negotiation, if successful, will prove to be an important step towards the satisfactory and final adjustment of the controversy.

I had hoped that the respect for the laws and regard for the peace and honor of their own country, which has ever characterized the citizens of the United States, would have prevented any portion of them from using any means to promote insurrection in the territory of a power with which we are at peace, and with which the United States are desirous of maintaining the most friendly relations. I regret deeply, however, to be obliged to inform you that this has not been the case. Information has been given to me, derived from official, and other sources, that many citizens of the United States have associated together to make hostile incursions from our territory into Canada, and to aid and abet insurrection there, in violation of the obligations and laws of the United States, and in open disregard of their own duties as citizens. This information has been in part confirmed by a hostile invasion actually made by citizens of the United States, in conjunction with Canadians and others, and accompanied by a forcible seizure of the property of our citizens, and an application thereof to the prosecution of military operations against the authorities and people of Canada.

The results of these criminal assaults upon the peace and order of a neighboring country have been, as was to be expected, fatally destructive to the misguided and deluded persons engaged in them, and highly injurious to those in whose behalf they are professed to have been undertaken. The authorities in Canada, from intelligence received of such intended movements among our citizens, have felt themselves obliged to take precautionary measures against them; have actually embodied the militia, and assumed an attitude to repel the invasion to which they believed the colonies were exposed from the United States. A state of feeling on both sides of the frontier has thus been produced, which called for prompt and vigorous interference. If an insurrection existed in Canada, the amicable dispositions of the United States towards Great Britain, as well as their duty to themselves, would lead them to maintain a strict neutrality, and to restrain their citizens from all violations of the laws which have been passed for its enforcement. But this government recognizes a still higher obligation to repress all attempts on the part of its citizens to disturb the peace of a country where order prevails, or has been re-established. Depredations by our citizens upon nations at peace with the United States, or combinations for committing them, have at all times been regarded by the American Government and people with the greatest abhorrence. Military incursions by our citizens into countries so situated, and the commission of acts of violence on the members thereof, in order to effect a change in its government, or under any pretext whatever, have, from the commencement of our government, been held equally criminal on the part of those engaged in them, and as much deserving of punishment, as would be the disturbance of the public peace by the perpetration of similar acts within our own territory.

By no country or persons have these invaluable principles of international law—principles, the strict observance of which is so indispensible to the preservation of social order in the world—been more earnestly cherished or sacredly respected than by those great and good men who first declared, and finally established the independence of our own country. They promulgated and maintained them at an early and critical period in our history; they were subsequently embodied in legislative enactments of a highly penal character, the faithful enforcement of which has hitherto been, and will, I trust, always continue to be, regarded as a duty inseparably associated with the maintenance of our national honor. That the people of the United States should feel an interest in the spread of political institutions as free as they regard their own to be, is natural; nor can a sincere solicitude for the success of all those who are, at any time, in good faith struggling for their acquisition, be imputed to our citizens as a crime. With the entire freedom of opinion, and an undisguised expression thereof, on their part, the Government has neither the right, nor, I trust, the disposition to interfere. But whether the interest or the honor of the United States require that they should be made a party to any such struggle, and, by inevitable consequence, to the war which is waged in its support, is a question which, by our Constitution, is wisely left to Congress alone to decide. It is, by the laws, already made criminal in our citizens to embarrass or anticipate that decision, by unauthorized military operations on their part. Offences of this character, in addition to their criminality as violations of the laws of our country, have a direct tendency to draw down upon our own citizens at large the multiplied evils of a foreign war, and expose to injurious imputations the good faith and honor of the country.—As such they deserve to be put down with promptitude and decision. I cannot be mistaken, I am confident, in counting on the cordial and general concurrence of our fellow citizens in this sentiment. A copy of the Proclamation which I have felt it my duty to issue, is herewith communicated. I cannot but hope that the good sense and patriotism, the regard for the honor and reputation of their country, the respect for the laws which they have themselves enacted for their own government, and the love of order for which the mass of our people have been so long and so justly distinguished, will deter the comparatively few who are engaged in them from a further prosecution of such desperate enterprises. In the mean time, the existing laws have been, and will continue to be, faithfully executed; and every effort will be made to carry them out in their full extent.—Whether they are sufficient or not, to meet the actual state of things on the Canadian frontier, it is for Congress to decide.

It will appear from the correspondence herewith submitted, that the Government of Russia declines a renewal of the fourth article of the convention of April, 1824, between the United States and his Imperial Majesty, by the third article of which it is agreed that "hereafter there shall not be formed by the citizens of the United States, or under the authority of the said States, any establishment upon the northwest coast of America, nor in any of the islands adjacent, to the north of 54 deg. 40 min. of north latitude; and that in the same manner there shall be none formed by Russian subjects, or under the authority of Russia, south of the same paralle;" and by the fourth article, "that, during a term of ten years, counting from the signature of the present convention, the ships of both powers, or which belong to their citizens or subjects respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbors, and creeks upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country." The reasons assigned for declining to renew the provisions of this article, are, briefly, that the only use made by our citizens of the privilege is secures to them, has been to supply the Indians with spiritous liquors, ammunition, and fire-arms, that this traffic has been excluded from the Russian trade; and as the supplies furnished from the United States are injurious to the Russian establishments on the northwest coast, and calculated to produce complaints between the two Governments, his Imperial Majesty thinks it for the interest of both countries not to accede to the proposition made by the American Government for the renewal of the article last referred to.

The correspondence herewith communicated will show the grounds upon which we contend that the citizens of the United States have, independent of the provisions of the convention of 1824, a right to trade with the natives upon the coast in question, at unoccupied places, liable, however, it is admitted, to be at any time extinguished the creation of Russian establishments at such points. This right is denied by the Russian Government, which asserts that, by the operation of the treaty of 1824, each party agreed to waive the general right to land on the vacant coasts on the respective sides of the degree of latitude referred to, and accepted in lieu thereof, the mutual privilages mentioned in the fourth article. The capital and tonnage employed by our citizens in their trade with the northwest coast of America, will, perhaps, on adverting to the official statements of the commerce and navigation of the United States for the last few years, be deemed too inconsiderable in amount to attract much attention, yet the subject may, in other respects, deserve the careful consideration of Congress.

I regret to state that the blockade of the principal ports on the eastern coast of Mexico, which in consequence of differences between that Republic and France, was instituted in May last, unfortunately still continues, enforced by a competent French naval force, and is necessarily embarrassing to our own trade in the gulf, in common with that of other nations. Every disposition, however, is believed to exist on the part of the French Government, to render the measure as little onerous as practicable to the interests of the citizens of the United States, and to those of neutral commerce; and it is to be hoped that an early settlement of the difficulties between France and Mexico, will soon re-establish the harmonious relations formerly subsisting between them, and again open the ports of that Republic to the vessels of all friendly nations.

A convention for making that part of the boundary between the United States and the Republic of Texas, which extends from the mouth of the Sabine to the Red river, was concluded and signed at this city on the 25th of April last. It has since been ratified by both Governments; and seasonable measures will be taken to carry it into effect on the part of the United States.

The application of that Republic for admission into this Union, made in August, 1837, and which was declined for reasons already made known to you, has been formally withdrawn, as will appear from the accompanying copy of the note of the Minister Plenipotentiary of Texas, which was presented to the Secretary of State on the occasion of the exchange of the ratifications of the convention above mentioned.

Copies of the convention with Texas, of a commercial treaty concluded with the King of Greece, and of a similar treaty with the Peru Bolivian Confederation, the ratifications of which have been recently exchanged, accompany this message for the information of Congress, and for such legislative enactments as may be found necessary or expedient, in relation to either of them.

To watch over and forster the interests of a gradually increasing and widely extended commerce; to guard the rights of American citizens, whom business, or pleasure, or other motives, may tempt into distant climes, and at the same time to cultivate those sentiments of mutual respect and good will which experience has proved so beneficial in international intercourse, the Government of the United States has deemed it expedient, from time to time, to establish diplomatic connections with different foreign States, by the appointment of representatives to reside within their respective territories, I am gratified to be enabled to announce to you that, since the close of your last session, these relations have been opened under the happiest auspices with Austria and the Two Sicilies; that new nominations have been made in the respective missions of Russia, Brazil, Belgium, and Sweden and Norway, in this county; and that a Minister Extraordinary has been received, accredited to this Government from the Argentine Confederation.

An exposition of the fiscal affairs of the Government, and of their condition for the past year, will be made to you by Secratary of the Treasury.

The available balance in the Treasury, on the 1st of January next, is estimated at $2,765,342. The receipts of the year, from customs and lands, will probably amount to $20,615,598. These usual sources of revenue have been increased by an issue of Treasury notes—of which less than eight millions of dollars, including interest and principal, will be outstanding at the end of the year—and by the sale of one of the bonds of the Bank of the United States, for $2,254,871. The aggregate of means from these and other sources, with the balance on hand on the 1st of January last, has been applied to the payment of appropriations by Congress. The whole expenditure for the year on their account, including the redemption of more than eight millions of Treasury notes, constitutes an aggregate of about forty millions of dollars, and will still leave in the Treasury the balance before stated.

Nearly eight millions of dollars of Treasury notes are to be paid during the coming year, in addition to the ordinary appropriations for the support of Government. For both these purpose, the resources of the Treasury will undoubtedly be sufficient, if the charges upon it are not increased beyond the annual estimates. No excess, however, is likely to exist; nor can the postponed instalment of the surplus revenue be depossted with the States, nor any considerable appropriations beyond the estimates be made, without causing a deficiency in the Treasury. The great caution, advisable at all times, of limiting appropriations to the wants of the public service, is rendered necessary at present by the prospective and rapid reduction of the tariff; while the vigilant jealousy, evidently, excited among the people, by the occurences of the last few years, assures us that they expect from their representatives, and will sustain them in the exercise of, the most rigid economy. Much can be effected by postponing appropriations not immediately required for the ordinary public service, or for any pressing emergency; and much by reducing the expenditures where the entire and immedate accomplishment of the objects in view is not indispensable.

When we call to mind the recent and extreme embarrasments produced by excessive issues of bank paper, aggravated by the unforseen withdrawal of much foreign capital, and the inevitable derangment arising from the distribution of the surplus revenve among the State as required by Congress; and consider the heavy expenses incurred by the removal of Indian tribes; by the military operations in Florida; and on account of the unusually large appropriations made at the last two annual sessions of Congress for other objects, we have striking evidence, in the present efficient state of our finances, of the abundant resources of the country to fulfil all its obligations. Nor is it less gratifying to find that the general business of the community, deeply affected as it has been, is reviving with additional vigor, chastened by the lessons of the past, and animated by the hopes of the future. By the curtailment of paper issues; by curbing the sanguine and adventurous spirit of speculation; and by the honorable application of all available means to the fulfilment of obligations, confidence has been restored both at home and abroad, and ease and facility secured to all the operations of trade.

The agency of the Government in producing these results has been as efficient as its powers and means permitted. By withholding from the States the deposite of the fourth instalment, and leaving several millions at long credits with banks, principally in one section of the county, and more immediately beneficial to it; and at the same time, aiding the banks and commercial communities in other sections, by postponing the payment of bonds for duties to the amount of between four and five millions of dollars; by an issue of Treasury notes as a means to enable the government to meet the consequences of their indulgences; but affording, at the same time, facilties for remittance and exchanges; and by steadily declining to employ as general depositories of the public revenues, or receive the notes of all banks which refused to redeem them with specie; by these measures, aided by the favorable action of some of the banks, and by the support and co-operation of a large portion of the community, we have witnessed an early resumption of specie payments in our great commercial capital, promptly followed in almost every part of the United States. This result has been alike salutary to the true interests of agriculture, commerce and manufactures; to public morals, respect for the laws, and that cofidence between man and man which is so essential in all our social relations.

The contrast between the suspension of 1814 and that of 1837 is most striking. The short duration of the latter; the prompt restoration of business; the evident benefits resulting from an adherence by the Government to the constitutional standard of value, instead of sanctioning the suspension by the receipt of irredeemable paper; and the advantages derived from the large amount of specie introduced into the country previous to 1837, afforded a valuable illustration of the true policy of the Government in such a crisis; nor can the comparison fail to remove the impression that a national bank is necessary in such emergencies.

Not only were specie payments resumed without its aid, but exchanges have also been more rapidly restored than when it existed;—thereby showing that private capital, enterprise, and prudence, are fully adequate to these ends. On all these points experience seems to have confirmed the views heretofore submitted to Congress. We have been saved the mortification of seeing the distresses of the community for the third time seized on to fasten upon the country so dangerous an institution; and we may also hope that the business of individuals will hereafter be relieved from the injurious effects of a continued agitation of that disturbing subject. The limited influence of a national bank in averting derangement in the exchanges of the country, or in compelling the resumption of specie payments, is now not less apparent than its tendency to increase inordinate speculation by sudden expansions and contractions; its disposition to create panic and embarrassment for the promotion of its own designs; its interference with politics; and its far greater power for evil than for good, either in regard to the local institutions or the operations of Government itself. What was, in these respects,

but apprehension or opinion when a national bank was first established, now stands confirmed by humiliating experience. The scenes thro' which we have passed conclusively prove how little our commerce, agriculture, manufactures, or finances, require such an institution, and what dangers are attendant on its power—a power, I trust, never to be conferred by the American people upon their Government, and still less upon individuals not responsible to them for its unavoidable abuses.

My conviction of the necessity of further legislative provisions for the safekeeping and disbursement of the public moneys, and my opinion in regard to the measures best adapted to the accomplishment of those objects, have been already submitted to you. These have been strengthened by recent events; and, in the full conviction that time and experience must still further demonstrate their propriety, I feel it my duty, with respectful deference to the conflicting views of others, again to invite your attention to them.

With the exception of limited sums deposited in the few banks still employed under the act of 1836, the amounts received for duties, and, with very inconsiderable exceptions, those accruing from lands also, have, since the general suspension of specie payments by the deposite banks, been kept and disbursed by the Treasurer, under his general legal powers, subject to the superintendence of the Secretary of the Treasury. The propriety of defining more specifically, and of regulating by law, the exercise of this wide scope of Executive discretion, has been already submitted to Congress.

A change in the office of collector at one of our principal ports, has brought to light a defalcation of the gravest character, the particulars of which will be laid before you in a special report from the Secretary of the Treasury. By his report and the accompanying documents, it will be seen that the weekly returns of the defaulting officer apparently exhibited, throughout, a faithful administration of the affairs entrusted to his management. It, however, now appears, that he commenced abstracting the public moneys shortly after his appointment, and continued to do so, progressively increasing the amount, for the term of more than seven years, embracing a portion of the period during which the public moneys were deposited in the Bank of the United States, the whole of that of the State bank deposite system, and concluding only on his retirement from office, after that system had substantially failed, in consequence of the suspension of specie payments.

The way in which this defalcation was so long concealed, and the steps taken to indemnify the United States, as far as practicable, against loss, will also be presented to you. The case is one which imperatively claims the attention of Congress, and furnishes the … motive for the establishment of a more severe and secure system for the safekeeping and disbursement of the public moneys than any that has heretofore existed.

It seems proper, at all events, that, by an early enactment, similar to that of other countries, the application of public money by an officer of Government to private uses, should be made a felony, and visited with severe and ignominious punishment. This is already, in effect, the law in respect to the mint, and has been productive of the most salutary results. Whatever system is adopted, such an enactment would be wise as an independent measure, since much of the public moneys must, in their collection and ultimate disbursement, pass twice through the hands of public officers, in whatever manner they are intermediately kept. The Government, it must be admitted, has been from its commencement comparatively fortunate in this respect. But the appointing power cannot always be well advised in its selections, and the experience of every country has shown that public officers are not at all times proof against temptation. It is a duty, therefore, which the Government owes, as well to the interests committed to its care, as to the officers themselves, to provide every guard against transgressions of this character that is consistent with reason and humanity. Congress cannot be too jealous of the conduct of those who are entrusted with the public money; and I shall at all times be disposed to encourage a watchful discharge of this duty. If a more direct co-operation on the part of Congress, in the supervision of the conduct of the officers entrusted with the custody and application of the public money, is deemed desirable, it will give me pleasure to assist in the establishment of any judicious and constitutional plan by which that object may be accomplished. You will, in your wisdom, determine upon the propriety of adopting such a plan, and upon the measures necessary to its effectual execution. When the late Bank of the United States was incorporated, and made the depository of the public moneys, a right was reserved to Congress to inspect, at its pleasure, by a committee of that body, the books and the proceedings of the bank.

In one of the States whose banking institutions are supposed to rank among the first in point of stability, they are subjected to constant examination by commissioners appointed for that purpose, and much of the success of its banking system is attributed to this watchful supervision. The same course has also, in view of its beneficial operation, been adopted by an adjoining State, favorably known for the care it has always bestowed upon whatever relates to its financial concerns. I submit to your consideration whether a committee of Congress might not be profitably employed in inspecting, at such intervals as might be deemed proper, the affairs and accounts of officers entrusted with the custody of the public moneys. The frequent performance of this duty might be made obligatory on the committee in respect to those officers who have large sums in their possession, and left discretionary in respect to others. They might report to the Executive such defalcations as were found to exist, with a view to a prompt removal from office unless the fault was satisfactorily accounted for; and report, also, to Congress, at the commencement of each session, the result of their examinations and proceedings. It does appear to me that, with a subjection of this class of public officers to the general supervision of the Executive, to examinations by a committee of Congress at periods of which they should have no previous notice, and to prosecution and punishment as for felony for every breach of trust, the safekeeping of the public moneys, under the system proposed, might be placed on a surer foundation than it has ever occupied since the establishment of the Government.

The Secretary of the Treasury will lay before you additional information containing new details on this interesting subject. To these I ask your early attention. That it should have given rise to great diversity of opinion cannot be a subject of surprise. After the collection and custody of the public moneys had been for so many years connected with, and made subsidiary to, the advancement of private interests, a return to the simple and self-denying ordinances of the Constitution could not but be difficult. But time and free discussion eliciting the sentiments of the people, and aided by that conciliatory spirit which has ever characterized their course on great emergencies, were relied upon for a satisfactory settlement of the question. Already has this anticipation on one important point at least—the impropriety of diverting public money to private purposes—been fully realized. There is no reason to suppose that legislation upon that branch of the subject would now be embarrassed by a difference of opinion, or fail to receive the cordial support of a large majority of our constituents. The connection which formerly existed between the Government and the banks, was in reality injurious to both, as well as to the general interests of the community at large. It aggravated the disasters of trade and the derangements of commercial intercourse, and administered new excitement and additional means to wild and reckless speculations, the disappointments of which threw the country into convulsions of panic, and all but produced violence and bloodshed. The imprudent expansion of bank credits, which was the natural result of the command of the revenues of the State, furnished the resources for unbounded license in every species of adventure, seduced industry from its regular and salutary occupations by the hope of abundance without labor, and deranged the social state by tempting all trades and professions into the vortex of speculation on remote contingencies.

[illegible] also the resources of the Government, curtailed its useful operations, embarrassed the fulfilment of its obligations, and seriously interfered with the execution of the laws. Large appropriations and oppressive taxes are the natural consequences of such a connection, since they increase the profits of those who are allowed to use the public funds, and make it their interest that money should be accumulated and expenditures multiplied. It is thus that a concentrated money power is tempted to become an active agent in political affairs, and all past experience has shown on which side that influence will be arrayed. We deceive ourselves if we suppose that it will ever be found asserting and supporting the rights of the community at large in opposition to the claims of the few.

In a Government whose distinguishing characteristic should be a diffusion and equalization of its benefits and burdens, the advantage of individuals will be augmented at the expense of the mass of the people. Nor is it the nature of combinations for the acquisition of legislative influence to confine their interference to the single object for which they were originally formed. The temptation to extend it to other matters, is, on the contrary, not unfrequently too strong to be resisted. The influence in the direction of public affairs, of the community at large, is, therefore, in no slight danger of being sensibly and injuriously affected by giving to a comparatively small, but very efficient class, a direct and exclusive personal interest in so important a portion of the legislation of Congress as that which relates to the custody of the public moneys. If laws acting upon private interests cannot always be avoided, they should be confined within the narrowest limits, and left, wherever possible, to the Legislatures of the States. When not thus restricted, they lead to combinations of powerful associations, foster an influence necessarily selfish, and turn the fair course of legislation to sinister ends, rather than to objects that advance public liberty, and promote the general good.

The whole subject now rests with you, and I cannot but express a hope that some definite measure will be adopted at the present session.

It will not, I am sure, be deemed out of place for me here to remark, that the declaration of my views in opposition to the policy of employing banks as depositories of the Government funds, cannot justly be construed as indicative of hostility, official or personal, to those institutions, or to repeat, in this form, and in connection with this subject, opinions which I have uniformly entertained, and on all proper occasions expressed. Though always opposed to their creation in the form of exclusive privileges, and as a State magistrate aiming by appropriate legislation to secure the community against the consequences of their occasional mismanagement, I have yet ever wished to see them protected in the exercise of rights conferred by law, and have never doubted their utility, when properly managed, in promoting the interests of trade, and, through that channel, the other interests of the community. To the General Government they present themselves merely as State institutions, having no necessary connection with its legislation or its administration.—Like other State establishments, they may be used or not in conducting the affairs of the Government as public policy and the general interests of the Union may seem to require. The only safe or proper principle upon which their intercourse with the Government can be regulated, is that which regulates their intercourse with the private citizen—the conferring of mutual benefits. When the Government can accomplish a financial operation better with the aid of the banks than without, it should be at liberty to seek that aid as it would the services of a private banker, or other capitalists or agents, giving the preference to those who will serve it on the best terms. Nor can there ever exist an interest in the officers of the General Government, as such, inducing them to embarrass and annoy the State banks, any more than to incur the hostility of any other class of State institutions, or of private citizens. It is not in the nature of things that hostility to those institutions can spring from this source, or any opposition to their course of business, except when they themselves depart from the objects of their creation, and attempt to usurp powers not conferred upon them, or to subvert the standard of value established by the Constitution. While opposition to their regular operations cannot exist in this quarter, resistance to any attempt to make the Government dependent upon them for the successful administration of public affairs, is a matter of duty, as I trust it will ever be of inclination, no matter from what motive or consideration the attempt may originate.

It is no more than just to the banks to say, that, in the late emergency, most of them firmly resisted the strongest temptations to extend their paper issues, when apparently sustained in a suspension of specie payments by public opinion, even though in some cases invited by legislative enactments. To this honorable course, aided by the resistance of the General Government, acting in obedience to the Constitution and laws of the United States, to the introduction of an irredeemable paper medium, may be attributed, in a great degree, the speedy restoration of our currency to a sound state, and the business of the country to its wonted prosperity. The banks have but to continue in the same safe course, and be content in their appropriate sphere, to avoid all interference from the General Government, and to derive from it all the protection and benefits which it bestows on other State establishments, on the people of the States, and on the States themselves. In this, their true position, they cannot but secure the confidence and good will of the people and the Government, which they can only lose when, leaping from their legitimate sphere, they attempt to control the legislation of the country, and pervert the operations of the Government to their own purposes.

Our experience under the act passed at the last session, to grant pre-emption rights to settlers on the public lands, has as yet been limited to enable us to pronounce with safety upon the efficacy of its provisions to carry out the wise and liberal policy of the Government in that respect. There is, however, the best reason to anticipate favorable results from its operation. The recommendations formerly submitted to you in respect to a graduation of the price of the public lands, remain to be finally acted upon. Having found no reason to change the views then expressed, your attention to them is again respectfully requested.

Every proper exertion has been made, and will be continued, to carry out the wishes of Congress in relation to the tobacco trade, as indicated in the several resolutions of the House of Representatives and the legislation of the two branches. A favorable impression has, I trust, been made in the different foreign countries to which particular attention has been directed, and although we cannot hope for an early change in their policy, as in many of them a convenient and large revenue is derived from monopolies in the fabrication and sale of this article, yet, as these monopolies are really injurious to the people where they are established, and the revenue derived from them may be less injuriously and with equal facility obtained from another and a liberal system of administration, we cannot doubt that our efforts will be eventually crowned with success, if persisted in with temperate firmness, and sustained by prudent legislation.

In recommending to Congress the adoption of the necessary provisions at this session for taking the next census, or enumeration of the inhabitants of the United States, the suggestion presents itself whether the scope of the measure might not be usefully extended, by causing it to embrace authentic statistical returns of the great interests specially entrusted to, or necessarily affected by, the legislation of Congress.

The accompanying report of the Secretary of War presents a satisfactory account of the state of the army, and of the several branches of the public service confided to the superintendence of that officer.

The law increasing and organizing the military establishment of the United States has been nearly carried into effect, and the army has been extensively and usefully employed during the past season.

I would again call to your notice the subjects connected with and essential to the military defences of the country, which were submited to you at the last session; but which were not acted upon, as is supposed, for want of time.—The most important of them is the organization of the militia on the maratime and inland frontiers. This measure is deemed important, as it is believed that it will furnish an effective volunteer force in aid of the regular army, and may form the basis for a general system of organization for the entire militia of the United States. The erection of a National Foundry and gunpowder manufactory, and one for making small arms, the latter to be situated at some point west of the Alleghany mountains, all appear to be of sufficient importance to be again urged upon your attention.

The plan proposed by the Secretary of War for the distribution of the forces of the United States in time of peace, is well calculated to promote regularity and economy in the fiscal administration of the service, to preserve the discipline of the troops, and to render them available for the maintenance of the peace and tranquility of the country. With this view, likewise, I recommend the adoption of the plan presented by that officer for the defence of the western frontier. The preservation of the lives and property of our fellow citizens who are settled upon that border country, as well as the existence of the Indian population, which might be tempted, by our want of preparation, to rush on their own destruction and attack the white settlements, all seem to require that this subject should be acted upon without delay, and the War Department authorized to place that country in a state of complete defence against any assault from the numerous and warlike tribes which are congregated on that border.

It affords me sincere pleasure to be able to apprize you of the entire removal of the Cherokee nation of Indians to their new homes west of the Mississippi. The measures authorized by Congress at its last session with a view to the long standing controversy with them, have had the happiest effects. By an agreement concluded with them by the commanding general in that country, who has performed the duties assigned to him on the occasion with commendable energy and humanity, their removal has been principally under the conduct of their own chiefs, and they have emigrated without any apparent reluctance.

The successful accomplishment of this important object; the removal, also, of the entire Creek nation, with the exception of a small number of fugitives amongst the Seminoles in Florida; the progress already made towards a speedy completion of the removal of the Chickasaws, the Chocktows, the Pottawatamies, the Ottawas, and the Chippewas, with the extensive purchases of Indian lands during the present year, have rendered the speedy and successful result of the long established policy of the government upon the subject of Indian affairs entirely certain. The occasion is, therefore, deemed a proper one to place this policy in such a point of view as will exonerate the Government of the United States from the undeserved reproach which has been caste upon it through several successive Administrations. That a mixed occupancy of the same territory, by the white and red man, is incompatible with the safety or happiness of either, is a position in respect to which there has long since ceased to be room for a difference of opinion. [illegible] Reason and experience have alike demonstrated its impracticability. The bitter fruits of every attempt heretofore to overcome the barriers interposed by nature, have only been destruction, both physical and moral, to the Indian; dangerous conflicts of authority between the Federal and State Governments; and detriment to the individual prosperity of the citizen, as well as to the general improvement of the country. The remedial policy, the principles of which were settled more than thirty years ago, under the administration of Mr. Jefferson, consists in an extinction, for a fair consideration, of the title to all the lands still occupied by the Indians within the States and Territories of the United States; their removal to a country west of the Mississippi, much more extensive, and better adapted to their condition, than that on which they then resided; the guarantee to them, by the United States, of their exclusive possession of that country forever, exempt from all intrusions by white men, with ample provisions for their security against external violence and internal dissensions, and the extension to them of suitable facilities for their advancement in civilization. This has not been the policy of particular administrations only, but of each in succession since the first attempt to carry it out under that of Mr. Munroe. All have labored for its accomplishment, only with different degrees of success. The manner of its execution has, it is true, from time to time, given rise to conflicts of opinion and unjust imputations; but in respect to the wisdom and necessity of the policy itself, there has not, from the beginning, existed a doubt in the mind of any calm, judicious, disinterested friend of the Indian race, accustomed to reflection and enlightened by experience.

Occupying the double character of contractor on its own account, and guardian for the parties contracted with, it was hardly to be expected that the dealings of the Federal Government with the Indian tribes would escape misrepresentation. That there occurred in the early settlement of this country, as in all others where the civilized race has succeeded to the possession of the savage, instances of oppression and fraud on the part of the former, there is too much reason to believe. No such offences can, however, be justly charged upon this Government since it became free to pursue its own course. Its dealings with the Indian tribes have been just and friendly throughout; its efforts for their civilization constant, and directed by the best feelings of humanity; its watchfulness in protecting them from individual frauds unremitting; its forbearance under the keenest provocations, the deepest injuries, and the most flagrant outrages, may challenge at least a comparison with any nation, ancient or modern, in similar circumstances; and if in future times a powerful, civilized, and happy nation of Indians shall be found to exist within the limits of this northern continent, it will be owing to the consummation of that policy which has been so unjustly assailed. Only a very brief reference to facts in confirmation of this assertion can, in this form, be given, and you are, therefore, necessarily referred to the report of the Secretary of War for further details. To the Cherokees, whose case has, perhaps, excited the greatest share of attention and sympathy, the United States have granted in fee, with a perpetual guarantee of exclusive and peaceable possession, 13,554,135 acres of land on the west side of the Mississippi, eligibly situated, in a healthy climate, and in all respects better suited to their condition than the country they have left, in exchange for only 9,492,160 acres on the east side of the same river. The United States have in addition stipulated to pay them five million six hundred thousand dollars for their interest in improvements on the lands thus relinquished, and one million one hundred and sixty thousand dollars for subsistence and other beneficial purposes; thereby putting it in their power to become one of the most wealthy and independent separate communities, of the same extent, in the world.

By the treaties made and ratified with the Miamies, the Chippewas, the Sioux, the Sacs and Foxes, and the Winnebagoes, during the last year, the Indian title to eighteen million four hundred and fifty-eight thousand acres has been extinguised. These purchases have been much more extensive than those of any previous year, & have, with other Indian expeses, borne very heavily upon the Treasury. They leave, however, but a small quantity of unbought Indian lands within the States and Territories; and the Legislature and Executive were equally sensible of the propriety of a final and more speedy extinction of Indian titles within those limits. The treaties which were, with a single exception, made in pursuance of previous appropriations for defraying the expenses, have subsequently been ratified by the Senate, and received the sanction of Congress by the appropriations necessary to carry them into effect. Of the terms upon which these important negotiations were concluded, I can speak from direct knowledge; and I feel no difficulty in affirming that the interest of the Indians in the extensive territory embraced by them, is to be paid for at its fair value, and that no more faverable terms have been granted to the United States then would have been reasonably expected in a negotiation with civilized men, fully capable of appreciating and protecting their own rights. For the Indian title to 116,349,897 acres acquired since the 4th of March, 1829 the United States have paid $72,560,056, in permanent annuities, lands, reservations for Indians, expenses of removal and subsistence, merchandise, mechanical and agricultural establishments and implements. When the heavy expenses incurred by the United States, and the circumstance that so large a portion of the entire territory will be for ever unsaleable, are considered, and this price is compared with that for which the United States sell their own lands no one can doubt that justice has been done to the Indian in these purchases also. Certain it is, that the transactions of the Federal Government with the Indians have been uniformly characterized by a sincere and paramount desire to promote their welfare; and it must be a source of the highest gratification to every friend to justice and humanity to learn that, notwithstanding the obstructions from time to time thrown in its way, and the difficulties which have arisen from the peculiar and impracticable nature of the Indian character, the wise, humane, and undeviating policy of the Government in this, the most difficult of all our relations, foreign or domestic, has at length been justified to the world in its near approach to a happy and certain consummation.

The condition of the tribes which occupy the country set apart for them in the West, is highly prosperous, and encourages the hope of their early civilzation. They have, for the most part, abandoned the hunter state, and turned their attention to agricultural pursuits. All those who have been established for any length of time in that fertile region, maintain themselves by their own industry. There are among them traders of no inconsiderable capital, and planters exporting cotton to some extent; but the greater number are small agriculturists, living in comfort upon the produce of their farms. The recent emigrants, although they have in some instances removed reluctantly, have readily acquiesced in their unavoidable destiny. They have found at once a recompense for past sufferings, and an incentive to industrious habits, in the abundance and comforts around them. There is reason to believe that all these tribes are friendly in their feelings towards the United States; and it is to be hoped that the acquisition of individual wealth, the pursuits of agriculture, and habits of industry, will gradually subdue their warlike propensities, and incline them to maintain peace among themselves. To effect this desirable object, the attention of Congress is solicited to the measures recommended by the Secretary of War for their future government and protection, as well from each other as from the hostility of the warlike tribes around them, and the intrusions of the whites. The policy of the Government has given them a permanent home, and guarantied to them its peaceful and undisturbed possession. It only remains to give them a government and laws which will encourage industry, and secure to them the rewards of their exertions. The importance of some form of government cannot be too much insisted upon. The earliest effects will be to diminish the causes and occasions for hostilities among the tribes, to inspire an interest in the observance of laws to which they will have themselves assented, and to multiply the securities of property, and the motives for

self-improvement. Intimately connected with this subject, is the establishment of the military defences recommended by the Secretary of War, which have been already referred to.— Without them, the Government will be powerless to redeem its pledges of protection to the emigrating Indians against the numerous warlike tribes that surround them, and to provide for the safety of the frontier settlers of the bordering States.

The case of the Seminoles constitutes at present the only exception to the successful efforts of the Government to remove the Indians to the homes assigned them west of the Mississippi.— Four hundred of this tribe emigrated in 1836, and fifteen hundred in 1837 and 1838, leaving in the country, it is supposed, about 2,000 Indians. The continued treacherous conduct of these people, the savage and unprovoked murders they have lately commited, butchering whole families of the settlers of the Territory, without distinction of age or sex, and making their way into the very centre and heart of the country, so that no part of it is free from their ravages; their frequent attacks on the light-houses along that dangerous coast; and the barbarity with which they have murdered the passengers and crews of such vessels as have been wrecked upon the reefs and keys which border the gulf, leave the Government no alternative but to continue the military operations against them until they are totally expelled from Florida.

There are other motives which would urge the Government to pursue this course towards the Seminoles. The United States have fulfilled in good faith all their treaty stipulations with the Indian tribes, and have in every other instance, insisted upon a like performance of their obligations. To relax from this salutary rule because the Seminoles have maintained themselves so long in the Territory they had relinquished, and, in defiance of their frequent and solemn engagements, still continue to wage a ruthless war against the United States, would not only evince a want of constancy on our part, but be of evil example in our intercourse with other tribes. Experience has shown that but little is to be gained by the march of armies through a country so intersected with inaccessible swamps and mashes, and which, from the fatal character of the climate, must be abandoned at the end of the winter. I recommend, therefore, to your attention, the plan submitted by the Secretary of War in the accompanying report, for the permanent occupation of the portion of the Territory freed from the Indians and the more efficient protection of the people of Florida from their inhuman warfare.

From the report of the Secretary of the Navy, herewith transmitted, it will appear that a large portion of the disposable naval force is either actively employed, or in a state of preparation for the purposes of experience and discipline, and the protection of our commerce.— So effectual has been this protection, that, so far as the information of Government extends, not a single outrage has been attempted on a vessel carrying the flag of the United States, within the present year, in any quarter, however distant or exposed.

The exploring expedition sailed from Norfolk on the 19th of August last; and information has been received of its safe arrival at the island of Madeira. The best spirit animates the officers and crews, and there is every reason to anticipate, from its efforts, results beneficial to commerce and honorable to the nation.

It will also be seen that no reduction of the force now in commission is contemplated. The unsettled state of a portion of South America renders it indispensable that our commerce should receive protection in that quarter; the vast and increasing interests embarked in the trade of the Indian and China seas, in the whale fisheries of the Pacific ocean, and in the Gulf of Mexico, require equal attention to their safety; and a small squadron may be employed to great advantage on our Atlantic coasts, in meeting sudden demands for the reinforcement of other stations, in aiding merchant vessels in distress, in affording active service to an additional number of officers, and in visiting the different ports of the United States, an accurate knowledge of which is obviously of the highest importance.

The attention of Congress is respectfully called to that portion of the report recommending an increase in the number of smaller vessels, and to other suggestions contained in that document. The rapid increase and wide expansion of our commerce, which is every day seeking new avenues of profitable adventure; the absolute necessity of a naval force for its protection precisely in the degree of its extension; a due regard to the national rights and honor; the recollection of its former exploits, and the anticipation of its future triumphs whenever opportunity presents itself, which we may rightfully indulge from the experience of the past, all seem to point to the navy as a most efficient arm of our national defence, and a proper object of legislative encouragement.

The progress and condition of the Post Office Department will be seen by reference to the report of the Postmaster General. The extent of post roads, covered by mail contracts, is stated to be 134,818 miles, and that annual transportation upon the 24,580,202. The number of post offices in the United States is 12,553, and rapidly increasing. The gross revenue for the year ending on the 30th day of June last, was $4,262,145. The accruing expenditures, $4,680,068; excess of expenditures, $417,923. This has been made up out of the surplus previously on hand. The cash on hand on the first instant, was $314,068.— The revenue for the year ending June 30, 1838, was $161,554 more than that for the year ending June 30, 1837. The expenditures of the department had been graduated upon the anticipation of a largely increased revenue. A moderate curtailment of mail service consequently became necessary, and has been effected, to shield the department against the danger of emarrassment. Its revenue is now improving, and it will soon resume its onward course in the march of improvement.

Your particular attention is requested so much of the Postmaster General's report as relates to the transportation of the mail upon railroads. The laws on that subject do not seem adequate to secure that service, now become almost essential to the public interests, and at the same time protect the department from combinations and unreasonable demands.

Nor can I too earnestly request your attention to the necessity of providing a more secure building for this department. The danger of destruction to which its important books and papers are continually exposed, as well from the highly combustible character of the building occupied, as from that of others in the vicinity, calls loudly for prompt action.

Your attention is again earnestly invited to the sugestion and recomendations submitted at the last session in respect to the District of Columbia.

I feel it my duty, also, to bring to your notice certain proceedings at law which have recently been prosecuted in this District, in the name of the United States, on the relation of Messrs. Stockton and Stokes, of the State of Maryland against the Postmaster General, and which have resulted in the payment of money out of the National Treasury, for the first time since the establishment of the Government, by judicial compulsion exercised by the common law writ of mandamus, issued by the circuit court of this District.

The facts of the case, and the grounds of the proceedings, will be found fully stated in the report of the decision; and any additional information which you may desire will be supplied by the proper department. No interference in the particular case is contemplated. The money has been paid; the claims of the prosecutors have been satisfied; and the whole subject, so far as they are concerned, is finally disposed of; but it is on the supposition that the case may be regarded as an authoritative exposition of the law as it now stands, that I have thought it necessary to present it to your consideration.

The object of the application to the circuit court was to compel the Postmaster General to carry into effect an award made by the Solicitor of the Treasury, under a special act of Congress for the settlement of certain claims of the relators on the Post Office Department, which award the Post Master General declined to execute in full, until he should receive further legislative direction on the subject. If the duty imposed on the Postmaster General, by that law, was to be regarded as one of an official nature, belonging to his office as a branch of the Executive, than its obvious that the constitutional competency of the Judiciary to direct and control him in its discharge, was necessarily drawn in question. And if the duty so imposed on the Postmaster General was to be considered as merely ministerial, and not executive, it yet remained to be shown that the circuit court of this District had authority to interfere by mandamus—such a power having never before been asserted or claimed by that court. With a view to the settlement of these important questions, the judgment of the circuit court was carried, by a writ of error, to the Supreme Court of the United States. In the opinion of that tribunal, the duty imposed on the Postmaster General was not a official executive duty, but one of a merely ministerial nature. The grave constitutional questions which had been discussed were, therefore, excluded from the decision of the case; the court, indeed, expressly admitting that, what powers and duties properly belonging to the Executive, no other department can interfere by the writ of mandamus; and the question, therefore, resolved itself into this: Has Congress conferred upon the circuit court of this District the power to issue such a writ to an officer of the General Government, commanding him to perform a ministerial act? A majority of the court have decided that it has, but have founded their decision upon a process of reasoning which, in my judgment, renders further legislative provision indispensable to the public interests and the equal administration of justice.

It has long since been decided by the Supreme Court, that neither that tribunal nor the circuit courts of the United States held within the respective States, possess the power in question; but it is now held that this power, denied to both of these high tribunals, (to the former by the Constitution, and to the latter by Congress,) has been, by its legislation, vested in the circuit court of this District. No such direct grant of power to the circuit court of this District is claimed; but it has been held to result, by necessary implication, from several sections of the law establishing the court. One of these sections declares, that the laws of Maryland, as they existed at the time of the cession, should be in force in that part of the District ceded by that State; and, by this provision, the common law, in civil and criminal cases, as it prevailed in Maryland in 1801, was established in that part of the District.

In England, the Court of King's Bench—because the sovereign who, according to the theory of the Constitution, is the fountain of justice, originally sat there in person, and is still deemed to be present, in constructions of law—alone possesses the high power of issuing the writ of mandamus, not only to inferior jurisdictions and corporations, but also to magistrates and others, commanding them, in the King's name, to do what their duty requires, in cases where there is a vested right, and no other specific remedy. It has been held, in the case referred to, that, as the Supreme Court of the United States is, by the Constitution, rendered incompetent to exercise this power, and as the circuit court of this District is a court of general jurisdiction in cases at common law, and the highest court of original jurisdiction in the District, the right to issue the writ of mandamus is incident to its common law powers. Another ground relied upon to maintain the power in question is, that it was included by fair construction, in the power it granted to the circuit courts of the United States, by the act "to provide for the more convenient organization of the courts of the United States," passed 13th of February, 1801; that the act establishing the circuit court of this District, passed the 27th day of February, 1801, conferred upon that court and the judges thereof the same powers as were by law vested in the circuit courts of the United States and in the judges of the said courts; that the repeal of the first mentioned act, which took place in the next year, did not divest the circuit court of this District of the authority in dispute, but left it still clothed with the power over the subject which, it is conceded, were taken away from the circuit courts of the United States by the repeal of the act of 13th February, 1801.

Admitting that the adoption of the laws of Maryland for a portion of this District confers on the circuit court thereof, in that portion, the transcendent extra-judicial preogative powers of the Court of King's Bench, in England, or that either of the acts of Congress, by necessary implication, authorised the former court to issue a writ of mandamus to an officer of the United States, to compel him to perform a ministerial duty, the consequences are, in one respect, the same. The result in either case is, that the officers of the United States, stationed in different parts of the United States, are, in respect to the performance of their official duties, subject to different laws and a different supervision: those in the States to one rule, and those is the District of Columbia to another and a very different one. In the District their official conduct is subject to control, from which in the States they are exempt.

Whatever difference of opinion may exist as to the expediency of vesting such a power in the judiciary, in a system of Government constituted like that of the United States, all must agree that these disparaging discrepancies in the law and in the administration of justice ought not to be permitted to continue; and as Congress alone can provide the remedy, the subject is unavoidably presented to your consideration.

M. VAN BUREN.

WASHINGTON, December 3, 1838.

OXFORD DEMOCRAT.

Paris, December 11, 1838.

There appears to be some perplexity if not trouble in the federal camp. They are distracted by the variety of their candidates and their conflicting claims upon the support of the party. Hitherto their papers and leaders have attempted to avoid any discussion of the question as to who should have the honor of being defeated as the federal candidate for the presidency. As one who knew them well and who now stands high in their confidence, said that they were bound together by no common principle but a sympathy of hatred for democracy, we need not be surprised that when they attempt to unite for any other object, than opposition, the discordant materials of which the party is composed, should each struggle for the ascendancy. This question, however, has lost much of its interest since the late indications of public opinion have made it apparent that even if they bring their three candidates into the field, the democracy will triumph over them all. Was there a chance for the success of federalism, the conflict among the rival factions would be intense and therefore interesting. Now, however, as the honor which the selected candidate is likely to receive is not of a nature to gratify inordinate ambition, the preferences and prejudices of the friends of the rivals may be found to be less obstinate than they would be under other circumstances. The federalists of the South cannot be made to endure the ultraism of Mr. Webster, nor to forget or forgive his past political offences and his doubtful patriotism during the last war, while on the other hand those of the north cannot reconcile their professions of regard to decency and morality with the support of Mr. Clay. These considerations have induced the rank and file of the party to bring forward one who in these respects is less objectionable, though vastly inferior to either of his competitors in ability or fitness for the station to which he aspires. Harrison appears to derive his support rather from his negative than his positive qualifications, and his claims are advocated that he is not liable to the objections that are urged against the other two—objections which they allege are insurmountable, while they appear disposed to overlook what is urged against him, viz his unfitness for the office from the want of the ability which it requires. It is no part of our business to attempt to reconcile these difficulties among our opponents, but they exist and cannot be winked out of sight. Their papers may forbear to discuss the merits and claims of their respective favorites and exhort their readers to await patiently the decision of a Convention, and to abide by the choice, compromise, or bargain that may be made then, but all this will not reconcile the long cherished preferences and prejudices that prevail among them. The time may be delayed, but it will come, and the decision of the majority, though acquiesced in by most, will not be cheerfully obeyed by all.

We have received a long communication giving the particulars of the highway robbery which we gave some account of in our last. As many of our citizens entertain great doubts whether the whole affair is not a hoax, we defer publishing more on the subject at present.

Our thanks are due Hon. Ruel Williams of the Senate for a copy of the President's Message.

The New York papers complain that Turkies are held at 12 1-2 cents per lb. in that market. That is lower than they can be bought here,—Portland Transcript.

The New Orleans Piceyune of the 21st ult., says: "Those out of employ at the North at this present time had better stay where they are for the present, where living is cheap. As for getting any thing to do here, it is out of the question."

A late English paper says, that the distillation of brandy in London is prohibited for two months, in consequence of the scarcity of wheat.

By a recent census of Arkansas, the population of that State is ascertained to be 60,710.

Among the "patriot" prisoners lately taken and lodged in the Montreal jail, is H. T. Blanchard, late publisher of a paper at Derby in Vermont.—He will find worse feed than even the *pi* of a Printing Office.

One of the pleasures of an editor.—With the devil upon one side crying more copy, and a debtor upon the other crying more money.

Administrator's Sale.

THE undersigned, Administrator on the estate of Thomas Patrick late of Porter in the County of Oxford, deceased, by authority of the Judge of Probate within and for said County, will sell at public Vendue to the highest bidder, at the Store of John Higgins in Porter, on Saturday the fifth day of January, 1839, at one of the clock in the afternoon, the following described real estate, viz.—One eighth of an acre of land more or less, lying between land of Jno. French where his barn now stands and the road, hereby meaning to sell and convey all the estate that the said Patrick took or was entitled to by his deed from William Towle dated January 23d, 1836, and no more.

BENJAMIN WENTWORTH.

Limington, Dec. 7, 1838. 3w17

More Violins!!

FROM 5, 10, 15, & 20 Dollars, just received and for sale at the Oxford Bookstore, by

W. E. GOODNOW.

Dec. 5, 1838. 3w17

ASHES

WANTED in exchange for Goods. Also, *Flannel Cloth, Yarn, Mittens*, and *Footings*, for which the highest price will be paid.

FRANCIS BEMIS.

Paris-Hill, Nov. 6, 1838. 4w12

LAST CALL!!!

THE subscribers once more would respectfully request all persons indebted to them by note or account to make payment *immediately*, to wit, before the tenth of October next, or their demands will be left with an Attorney for collection, unless special arrangements are made to the contrary.

ALFRED ANDREWS.
ISAAC BUTTERFIELD.

Paris, Sept. 10, 1838. 5

Buffalo Robes,

FUR Seal, Nutre, and Seal CAPS, and Fur and Nutre COLLARS, just received and for sale at the *Oxford Bookstore*, by *W. E. GOODNOW.*

Norway-Village, Nov. 5, 1838. 3w12

COMMISSIONER'S NOTICE.

WE, the undersigned, having been appointed by the Judge of Probate, for the County of Oxford, Commissioners on the Estate of Benjamin Fobes, late of Peru, in said County, deceased, give notice that six months from this date have been allowed said creditors to bring in and prove their claims against said estate; and that they will attend to that service at the dwelling house of James Lunt in said Peru, on the last Satuadays in January and February next, from one till five o'clock, P. M. on said days.

JAMES LUNT,
GEORGE W. LUNT, } Commissioners.

Peru, August 28 1838. 3w14

☞CASH WANTED!!☜

ALL demands due the subscriber must be paid by the *first day of January next*, or cost will be made.—*No Mistake!!!* *W. E. GOODNOW.*

Norway-Village, Nov. 5, 1838. 3w12

PUBLIC NOTICE.

NOTICE is hereby given that Josiah and Robert Maybury conveyed to me the subscriber by mortgage Deed, April 26, 1838, two parcels of land situated in Waterford; for a particular description of the premises, reference may be had to the Oxford County Records, book 54, page 267, and, whereas the conditions of said deed have been broken, I, the subscriber, claim to foreclose the above mortgage, agreeably to an Act additional to an Act respecting Mortgages and the right of equity of redemption, approved March 20, 1838.

ALGERNON S. HOWE.

Bridgton, Nov. 13, 1838. 3w14

GEORGE F. EMERY,

Attorney at Law,

WATERFORD, ME.

BLANKS!

WARRANTEE, Mortgage, and Quitclaim Deeds, also, CERTIFICATES for obtaining the bounty on Wheat and Corn, for sale at this Office.

Oct. 30

Thrice Weekly Age.

THE Publisher of THE AGE proposes to issue a paper three times a week during the next session of the Legislature.

It will contain, in addition to the reports of Legislative debates and proceedings, the News of the Day, a Synopsis of Congressional proceedings, and the original matter which appears in the weekly paper. It is intended that the reports of proceedings shall be full and accurate, and the sketches of Debates as complete and perfect as any that have been published at Augusta.

The price of the Thrice Weekly will be ONE DOLLAR for the session. It will be published on such days as well best accommodate our subscribers on the different mail routes.

Any person procuring six subscribers and forwarding the amount of their subscription shall be entitled to a copy of the paper.

☞ The price of all subscriptions must be paid in advance, or some persons known to us become responsible therefor.

☞Editors in this State, with whom we exchange, will confer a favor by giving this prospectus a few insertions in their columns.

AUGUSTA, Oct. 30, 1838.

☞Subscriptions received at this Office.

NOTICE.

ABIAL T. NOYES,

Tailor & Draper,

WOULD inform the inhabitants of Paris and vicinity, that he has removed from Portland and taken Rooms on Paris-Hill, where he intends to carry on the Tailoring Business in all its branches.

N. B. Garments made by him are warranted to fit. He will also pay attention to cutting and making MILITARY COATS and PANTS.

CUTTING done to order.

Paris Hill, Aug. 17, 1838. tf 1

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Executor of the last Will and Testament of

SOLOMON SHAW,

late of Paris, in the county of Oxford, deceased, by giving bond as the law directs—He therefore requests all persons who are indebted to the said deceased's estate to make immediate payment; and those who have any demands thereon to exhibit the same to E. H. SHAW.

Paris, Nov. 27, 1838. 3w16

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

JOHN WEBBER,

late of Sweden, in the county of Oxford, deceased, by giving bond as the law directs,—he therefore requests all persons who are indebted to the said deceased's estate, to make immediate payment; and those who have any demands thereon, to exhibit the same to BENJ. WEBBER.

Sweden, Nov. 27, 1838. *3w16

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

DANIEL HOLDEN, Jr.,

late of Sweden, in the county of Oxford, deceased, by giving bond as the law directs. He therefore requests all persons who are indebted to the said deceased's estate, to make immediate payment; and those who have any demands thereon, to exhibit the same to ROLAND HOLDEN.

Sweden Nov. 27, 1838. *3w16

At a Court of Probate held at Paris, within and for the county of Oxford, on the twenty seventh day of November in the year of our Lord eighteen hundred and thirty-eight—

JUDAH DANA & others, Executors of the last Will and Testament of James W. Ripley, late of Fryeburg, in said county, deceased, having presented their third account of administration of the estate of said deceased, and John A Bulkam, one of said Executors, having presented his own private claims against said estate,

Ordered,

That the said Executors give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Fryeburg in said county, on the fifteenth day of January next, at ten of the clock in the forenoon, and shew cause if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

3w16 Copy, Attest—*Levi Stowell*, Register.

At a Court of Probate held at Paris, within and for the County of Oxford on the twenty seventh day of November, in the year of our Lord eighteen hundred and thirty-eight—

SAMUEL RICHARDSON, named Executor in a certain instrument purporting to be the last Will and Testament of Richard Richardson, late of Livermore, in said county, deceased, having presented the same for probate:

Ordered,

That the said Executor give notice to all persons interested, by causing a copy this order to be publised three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris, in said county, on the first day of January next at ten of the clock in the forenoon, and shew cause, if any they have, why the said instrument should not be proved, approved and allowed as the last will and testament of said deceased.

STEPHEN EMERY, Judge.

3w16 Copy Attest Levi Stowell, Register.

At a Court of Probate holden at Paris, within and for the County of Oxford, on the twenty-seventh day of November, in the year of our Lord eighteen hundred and thirty-eight—

ON the petition of Reuel Washburn Executor of the last Will and Testament of Amos Perley late of Canton, in said county, deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts, which he owed at the time of his death by the sum of five hundred dollars, and praying for license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges:

Ordered,

That the petitioner give notice thereof to the heirs of said deceased and to all persons interested in said estate, by causing a copy of this order to be published in the Oxford Democrat printed at Paris, in said county, three weeks successively, that they may appear at a Probate Court to be held at Paris, in said County, on the first day of January next, at ten o'clock A. M. and shew cause, if any they have, why the prayer of asid petition should not be granted.

STEPHEN EMERY, Judge.

3w16 Copy, Attest—*Levi Stowell*, Register.

At a Court of Probate holden at Paris within and for the county of Oxford, on the twenty seventh day of November, in the year of our Lord eighteen hundred and thirty eight—

ON the petition of Jacob Severy, administrator, of the estate of Abijah Douglas, late of Dixfield, in said County deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts, which he owed at the time of his death by the sum of four hundred dollars and praying for a license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges:

Ordered,

That the petitioner give notice thereof to the heirs of said deceased and to all persons interested in said estate, by causing a copy of this order to be published in the Oxford Democrat printed, at Paris in said county, three weeks successively, that they may appear at a Probate Court to be holden at Paris in said county, on the first day of January next at ten o'clock, A. M. and shew cause if any they have, why the prayer of said petition should not be granted.

STEPHEN EMERY, Judge.

3w16 Copy, Attest—*Levi Stowell*, Register.

SHERIFF'S SALE.

OXFORD, ss:

TAKEN on Execution and will be sold at Public Vendue on Tuesday the twenty-fifth day of December, A. D. 1838, at two o'clock P. M. at the Store of Daniel Holden, Esq. in Sweden in said county, all the right in equity which Calvin Powers of said Sweden has in and to redeem the following described real estate situated in said Sweden, to wit:—Lot numbered ninety two in the third division of Lots in said Sweden. Said premises or real estate being subject to a Mortgage by said Calvin Powers to Josiah Heald Treasurer of the board of Trustees of the Parsonage or Ministerial fund in Lovell, bearing date November 11. 1822—recorded at the District Registry at Fryeburg in said county, Lib. 10, Folio 143—to secure the payment of three hundred dollars and interest, annually, in one year from date of said mortgage deed to Josiah Heald.

STEPHEN ANDREWS, Deputy Sheriff.

November 16, 1838. ¶ 3,16.

MORTGAGEE'S NOTICE.

RANDALL FISH gave a mortgage deed to Daniel Hammond & W. & G. Tuckerman & Co. Daniel Brown & Mason Greenwood of a Township of land Numbered One in the Second Range east of Bingham's Kennebec purchase, said township being situated in the County of Oxford, which deed is dated April 29th, 1835, conditioned for the payment of certain notes therein described, by virtue of which deed, the undersigned became seized of one undivided third part of said township in mortgage—and now claims to have possession thereof for condition broken—said notes not having been paid according to their tenor—in order to foreclose the mortgage aforesaid DANIEL BROWN.

Nov. 30, 1838. ¶ 3w 16

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

MOSES H. TREADWELL,

late of Waterford in the County of Oxford, deceased, by giving bond as the law directs—He therefore requests all persons who are indebted to the said deceased's estate, to make immediate payment; and those who have any demands thereon, to exhibit the same to

THOMAS TREADWELL.

Waterford, Nov. 6, 1838. *—13

NOTICE.

CAME into the inclosure of the subscriber, on the first day of November, one brown Colt, supposed to be three years old. Said colt has a star in the forehead and one white hind foot. The owner is hereby requested to prove property, pay charges, and take the same away.

ISRAEL KIMBALL.

East Bethel, Nov. 13, 1838. 14

ROMANTIC NEW ENGLAND LEGEND.

Sir Charles Henry Frankland, son of a governor of Bengal, and descended from a family of England, tracing its high lineage backward to the Norman conquest, visited America long previous to the war of the revolution, and held the office of collector of His Majesty's customs in Boston under the royal government of Massachusetts. His gay manner and licentious principles were better accommodated to the profligate circle of the courts where he had moved, than to the severe morality of puritan society. On some excursion in pursuit of pleasure or business, he chanced to visit Gloucester or Marblehead; which of these towns was the scene of his adventure is not precisely fixed in tradition. At the village inn, he found a damsel of 'sweet sixteen,' without shoes or stockings but with the romantic name of Agnes Surrage, engaged in the unromantic employment of scrubbing the staircase. Attracted by her appearance, the gallant knight went up and then came down again, until he fell in love with the barefooted beauty. The grace of her attendance upon the tea table aided the conquest which was completed when he ascertained that the charms of personal loveliness were united to lively wit, and a strong but uncultivated intellect. The fair maid of the inn became the companion of the nobleman, and returning with him to Boston, acquired the accomplishment of such education as the instructors of the time could bestow. The vigorous tone of moral feelings which has exerted its influence, from the earliest day of New England, was outraged by the connexion unblessed by matrimonial rites. The companion of Sir Henry, surrounded with graces and accomplishments, was insulated, amid a virtuous community. The stern reprobation of uncorrupted public opinion drove the knight to seek a retreat beyond its censure for his frail associate. He purchased a wide dominion in Hopkinton, and erected within its bounds one of the most splendid mansions of the country. The approach was through noble avenues hewn out of the deep forest, and overshadowed by ancient trees.—There, during his summer residence, he maintained the customs of his baronial ancestors, and their feudal castles. The stud of horses, and pack of pounds, with feast and festival, invited unscrupulous guests of the solitude of one of the quiet towns of the interior.

A son by a former partner, named, on the baptismal records of Hopkinton, Henry Cromwell, was an inmate of the family, and during the absence of the lord, master of the revels.—The house still stands, and although reduced from its aristocratic magnificence, to republican simplicity, retains in the fine old hall and rich tapestry hanging relics of its former splendour. Sir Henry was appointed consul general in Portugal; he went to discharge the duties of his office, accompanied by Agnes, and her married sister. Selecting a country residence, his villa was near to Lisbon, but beyond the limits of the city. The most violent convulsion the modern earth has experienced, well designated as the Great Earthquake, visited Lisbon November 1st, 1775; with the first terrible shock, tower and temple, church and convent, palace and prison, were overthrown. Thirty thousand human beings perished almost instantaneously, within the city; the felons, liberated by a miracle, employed the first moment of their deliverance in kindling fires which spread into general conflagration; when the desolation springing from natural causes had been exhausted, the malign passions of man came to aid in the work of destruction. On the day of the earthquake, Sir Henry, in his richest dress, had gone out to the city in his coach, to attend with the court on the celebration of high mass. As he went on, a hollow sound swelled in the air, the pavement broke into waves, the walls tottered on their foundation; his horses plunged down a chasm opened below their feet. Amid falling fragments, he sprang up the steps of a building, which fell as he entered, and he was borne down by the wreck. Providentially he sunk between two beams, supporting the weight of the impending mass, and leaving a space where he rested in security.

By his side, one miserable victim, a poor girl, was crushed, and, in the agony of death, tore his arm with her teeth. Agnes remained at the villa till sounds preceding the earthquake arose. At first they were supposed to be voices of the multitude hailing the arrival of the procession of the religious ceremonial. When the ground trembled with convulsion, she rushed from the house, which was swept away behind her departing steps, and clinging to an olive tree, escaped unhurt. Having recovered from the terrors of the fearful visitation, intense alarm for the fate of Sir Henry succeeded, and she sought him in the city. The Armorial bearings on his carriage indicated the place where he was buried, and after the commotion subsided, his voice was heard from the ruins.—His official station, and the promises of splendid rewards, induced laborers to engage in the work of rescuing the ambassador of England. Buried beneath the ruins, in that dreadful time, Sir Henry had abundant leisure to review his sins. The intense peril waked slumbering conscience to bitter remorse; it excited good resolutions of reformation and atonement, if his life should be spared; among them one was sealed by a vow, to make Agnes his wife.

After many hours, he was extricated; and immediately espoused his companion, first, according to the rites of the Roman Church, and afterwards in England, in the Episcopal form. They returned to America. Every year on the anniversary of his great deliverance, Sir Henry retired to a particular room of his house, in Hopkinton, and secluding himself from every visiter, kept solemn fast. In the apartment were hung the clothes he had worn in the line and dust that had been gathered on them. He finally revisited England, and died at Bath 11th January 1778. Lady Frankland remained at Hopkinton, until the commencement of the war of the American Revolution. The family of an English nobleman could not but incur the suspicions of the patriots, and her situation became dangerous. Removal to Boston being obstructed, she sought the protection of the provincial Congress of Massachusetts, and received permission from one of its committees to proceed with her effects to the town. Notwithstanding the sanction of this high authority, excitement arose among the inhabitants of the vicinage from the preparation for departure.—An armed party arrested her journey, and detained her person and effects, until the power of Congress interposed to liberate them from captivity. The leader of the captors was summoned to appear and answer for his indiscreet zeal, and the Congress resolved that he should be gently admonished by the President, and assured they were determined to preserve their dignity and power over the military. Lady Frankland sailed on her voyage to England, and was afterwards married to Major Drew of the royal army. While adjusting her hair before the mirror, in the preparation for a gay party, she was suddenly seized with mortal sickness, and fell and expired in the attire of a ball-room. Such is one of the narratives that have floated down in the traditions of New England. The particulars have been derived from the relation of a kind friend, and from the corroborative testimony of records and old papers. Some brief letters of Lady Frankland are preserved on the files of the Provincial Congress. The beauty of the graceful handwriting is occasionally marred by defects of orthography, showing the deficiency of early education.

[Worcester Ægis.

HENRICK, THE NAMAQUA HUNTER.

It was stated in the Boston Transcript, some few weeks since, that this man, by his extraordinary fleetness of foot, was enabled to catch the swiftest zebra — Capt. Alexander, in his 'Expedition of discovery in the interior of Africa,' gives the following interesting account of the manner in which the hunter performs this wonderful feat: *Portland Standard.*

Walking on his toes with an elastic springing step, at the rate of upwards of five miles an hour, he paced over the plain glancing at the ground for foot marks, and on each side of him, with his keen eyes. The prints of the compact hooted zebras are observed on the sands, and presently the troop itself is seen grazing near. Henrick stoops, disencumbers himself of every skin covering which might encumber him, even to his leopard skin cap, and steals as near as he can to the game without being perceived; but the watchful eye of the stallion discovers the hunter, when he leaves the cover of the bushes, and giving the alarm to the rest the whole gallop off. Henrick without putting himself to the top of his speed at first, follows them; the zebras stop to graze Henrick tuning like a race horse, with his stomach near to the ground, bounds toward them. Away they rush again, snorting and tossing their striped heads in the air, and switching their light and mule-like tails in the pride of fancied fleetness and freedom. The hunter 'sits on their skirts,' and relaxes not from his pursuit for a moment; he clears stones, bushes, and other impediments: after three or four miles he is in perfect wind; the ground seems to fly from under him; and, as he expressed it, he was now unable to distinguish the heaven from the earth. The zebras stop and graze occasionally, as before; but it is now but for an instant, for their enemy is closing with them; he drives them towards a steep face of rock; they hesitate about the means of escape; Henrick is amongst them in a moment, and seizing one of the striped troop by the tail he swings it to one side, throwing the whole weight of his own body towards the ground at the same time. The zebra falls on its side, when Henrick plunges his knife into its chest, and then allows it to rise and run off; it keeps up with the rest for a short distance, then gradually falls behind the troop, weak from loss of blood. Its comrades wait for it till Henrick again dashes forward, repeats his fatal thrust, and if two stabs are not sufficient to stretch the zebra dead on the plain, a third is given, which rolls the beautiful body lifeless on the ground, covered with dust and perspiration. The successful hunter then returns to his huts to send his people with pack oxen to bring home the prize.

MICHIGAN. There appears not to be a particle of doubt that the democrats have swept every thing in Michigan.

WISCONSIN. The following is a correct statement of the votes given for Delegate to Congress. The question as to the politics of either candidate was not raised at the election. Jones 1194, Burnett 956, Doty 1764.

Smith's majority for Congress in the 4th district of Vermont is 600 or 800.—Eastern Argus.

Bryant, the "*Grand Eagle*" of the Canadian "*Patriots*" who has been taken prisoner by the royalists, formerly resided in Bangor, where he now has a wife and child. There is no hope of his escaping a summary trial and execution. Argus.

Ambitious men abuse every thing. It is in the name of the Gospel that millions of victims have been sacrificed; it is in the name of Liberty, that tigers like Robespierre have shed torrents of blood.

New Doctrine.

We will consider the brain and the spinal marrow as the galvanic battery, and the nerves as the conductors of the galvanic (nervous) fluid, in which originate all our motions, pleasures, pains, feelings, affections, thoughts, and sentiments; and yet as the nerves form a part of our system, their healthy action depends upon the blood. If the blood be vitiated, the nervous fluid from the blood must be the same, and vitiated nervous fluid cannot produce healthy or proper motion, thoughts, feelings or sentiments, so that quarrels, murders, suicides, and every kind of crime or cruelty, may be legitimately traced to a *bad or corrupted state of the blood*.

From an unpublished work of Dr. Brandreth.

TWENTY-FIVE FACTS.

1st.—All animal *bodies* originate from a fluid.

2d.—By the circulation of a fluid, animal bodies are formed, increased and supported.

3d.—This life giving circulating fluid is the *BLOOD*.

4th.—An ordinary man contains about three and a half gallons, or twenty eight pounds of blood.

5th.—About two ounces of blood are propelled by the heart at each contraction.

6th.—The heart contracts seventy times per minute, therefore all the blood in the body passes through the heart in three minutes.

7th.—The body is constantly subject to two distinct processes, viz:—decomposition and reorganization.

8th.—Reorganization is effected by the blood, which flowing from the heart through the arteries, supplies the waste of the system, by removing decayed [illegible].

9th.—The blood in its return to the heart through the veins brings with it those particles which have become [illegible] through decomposition.

10th.—The more fluid of these deleterious particles pass from the body through the skin in the shape of [illegible], and the grosser humors are discharged through [illegible] bowels.

11th.—A want of proper action in these [illegible] primary cause of all diseases.

12th.—[illegible] ties or morbid humors [illegible] said down somewhere within the body.

13th.—The particular kind of disease which shall ensue depends altogether on the part wherein the morbid humors may finally be lodged.

14th.—The same humor, which when lodged in the liver, causes bilious complaints, would, if lodged in the lungs, cause consumption; or if in the membranes and muscles, rheumatism, &c.

15th.—All those derangements of the system, which receive the name of separate diseases, are, in fact, only so many different modifications of one effect resulting from one cause.

16.—The cause *IS THE IMPURITY OF THE BLOOD.*

17th.—All effects cease when the cause is removed; therefore purify the blood, and disease *MUST VANISH.*

18th.—There is no effectual method of purifying the blood, except by the use of a vegetable physic.

19th.—This vegetable physic must be of such a nature that it may be taken for any length of time without injury to the digestive organs.

20th. The ONLY MEDICINE KNOWN to possess those properties, is Dr Brandreth's Universal Vegetable Pills.

21st. These pills were brought to their present state of perfection eighty years ago, by Dr William Brandreth, (grandfather to Dr Benjamin Brandreth, the present proprietor,) who spent thirty years in investigating the Vegetable Kingdom, in order that he might discover a medicine which should at once purify and remove by purgation all bad humors from the blood, by the stomach and bowels; and at the same time by acting harmoniously with the system, do no violence to the constitution.

22d.—The numerous cures that have been effected by these Pills, and recommendations of thousands who have used them, prove conclusively that Dr Brandreth has fully attained his philanthropic object.

23d.—These Pills have now been in use over eighty years, therefore, all who have ever published *PRETENDED* Vegetable Universal Pills were only unworthy imitators of Dr. Brandreth and their medicines resemble his only in the name.

24th.—The *BRANDRETH PILLS* possess the *UNRIVALLED* power of completely curing the most inveterate disease; simply because they purify the blood.

25th.—Said Pills can never be obtained *GENUINE* at any drug stores either in the city or country—and as many druggists are known to be busily engaged in *COUNTERFEITING* them; those wanting the *GENUINE*, will be only safe from avoiding their stores.

DR BRANDRETH'S OWN OFFICE IS 19 HANOVER *STREET, BOSTON,* All persons who wish for Agencies must apply there.

All persons selling the Counterfeit Pills will be indicted for Felony. *NO CHEMIST SELL THE GENUINE.*

Aug. 14th, 1838. 8m32.

A Market for Cash!

JUST received and for sale at the Oxford *Bookstore*, a prime assortment of *SCHOOL BOOKS, MEDICINES, PAPER-HANGINGS, & FANCY GOODS*, which will be sold low for *CASH*, or *short* approved credit.

---At Cost---

WILL be sold a good assortment of *Miscellaneous Works*—to close a consignment.

GOLD BEADS, SILVER SPOONS AND SHELL COMBS, and a general assortment of Jewelry, at bargains, for Cash.

COOKING STOVES,

Parlor, Box, and Franklin Stoves, Oven & ash mouths, Zinc, Sheet Lead, &c. &c., for sale as low as at any other establishment in this vicinity.

SINGING BOOKS.

Boston *Academy's* Collection, *National* Church Harmony and other Musical works—constantly on hand—and he has received for schools. W. E. GOODNOW.

Norway Village, Oct. 9, 1838. 3w

Commissioners' Notice.

The subscribers having been appointed by the Hon. Stephen Emery, Judge of Probate for the County of Oxford, to receive and examine the claims of the creditors, to the estate of [illegible] Wood, late of Turner [illegible], deceased, [illegible] represented insolvent, [illegible] that six months from the twentieth [illegible] said creditors, to bring in and prove their claims [illegible] estate; and that they will attend to that service at the [illegible] house of [illegible] in said Turner, on [illegible] of December and [illegible] at [illegible] five o'clock P. M. on each of said days.

JOB PRINCE, } Commissioners.
ALDEN BLOSSOM, }

Turner Sept. 22, 1838. 10

Watches, Jewelry, Spectacles, &c.

WILLIAM [illegible] returns his gratitude to his friends and the public for their patronage and other favors conferred on him heretofore, and gives notice that he has lately purchased a good assortment of materials for

Watch Repairing.

He has also a good variety of SPECTACLES, a few good WATCHES, Ladies *Armours*, Silver and *Plated* TEA SPOONS, EVER POINTED PENCIL CASES, THIMBLES &c. He invites his customers to call and examine for themselves.

☞CASH paid for old SILVER and GOLD.

SIMEON WALTON.

Paris Hill, Nov 6, 1838

Farm for Sale.

TO be sold at public Auction on the twenty-fifth day of Dec. next, on the premises, at one o'clock P. M., unless previously disposed of at private sale, the Farm situated in Paris, now owned and occupied by the subscriber, formerly owned by Josiah Bisco, Esq and known as the Bisco farm, containing about one hundred and seventy acres of land of the best quality, with a two story dwelling house, a barn 50 by 40 feet and out buildings, all in good repair—an orchard containing the best kind of grafted fruit, together with a variety of pear trees of the best kind. Said farm is well fenced with good stone wall, and is allowed to be one of the best farms in the County of Oxford.

Terms easy and made known at the time and place of sale. For further particulars, enquire of the subscriber on the premises.

JOSIAH J. KNIGHT.

Paris, Oct. 23, 1838. 1st1

NOTICE!

THE subscriber would once more remind those indebted to him, whose notes or accounts have been *one year* standing, that they *MUST be settled*. IMMEDIATELY!!! FRANCIS BEMIS.

Oct 1, 1838. 17

Thrice Weekly Age.

THE Publisher of THE AGE proposes to issue a paper three times a week during the next session of the Legislature.

It will contain, in addition to the reports of Legislative debates and proceedings, the News of the Day, a Synopsis of Congressional proceedings, and the original matter which appears in the weekly paper. It is intended that the reports of proceedings shall be full and accurate, and the sketches of Debates as complete and perfect as any that have been published at Augusta.

The price of the Thrice Weekly will be ONE DOLLAR for the session. It will be published on such days as well best accommodate our subscribers on the different mail routes.

Any person procuring six subscribers and forwarding the amount of their subscription shall be entitled to a copy of the paper.

The price of all subscriptions must be paid in advance, or some person known to us become responsible therefor.

☞Editors in this State, with whom we exchange, will confer a favor by giving this prospectus a few insertions in their columns.

AUGUSTA, Oct. 20, 1838.

☞Subscriptions received at this Office.

NOTICE.

ABIAL T. NOYES,

Tailor & Draper,

[illegible] inform the inhabitants of Paris and vicinity [illegible] he has removed from Portland and [illegible] Paris Hill, where he intends to carry on [illegible] Business in all its branches.

[illegible] warranted to fit. [illegible] cutting and making MIL- [illegible]

[illegible] tf 1

GERMAN CLOTHS, CASSIMERES, Silk & Worsted Vestings.

GEO. H. KENDALL,

HAS received from New York and Boston, a new stock of WOOLEN GOODS, viz:—

Blue and Black superfine GERMAN CLOTHS—
Petsin and Citron Green " " "
Twilled black and Mulberry " "
Dahlia, Invisible Green, and Olive *London Cloths*,
Blues, Browns, Claret and blacks, low priced "

Cassimeres and Sattinetts, Rich Figured Satin and Valencia Vestings, Merinos, Col'd Worsteds, Damask Cloths, Napkins, Lawns and Linens.

—ALSO—

Batting, Wadding, Ticking, Stripes, Sheetings and Shirtings.

WANTED AS ABOVE,

2000 Y'DS all Wool and Cotton and Wool Domestic FLANNEL.

200 Doz. Woollen SOCKS. Mixed and White Yarn in exchange for Goods

No. 43, Clapp's Buildings, Middle Street,

Oct. 17. [*4wtf] PORTLAND

Public Notice.

WHEREAS I, John Conant of Alfred, in the County of York and State of Maine, have claim to one sixteenth part in common and undivided of Township numbered Two in the fifth Range West of Kennebec Bingham's Purchase in the County of Oxford and State of Maine, which was sold and conveyed in fee and in mortgage to Cyrus K. Conant then of Harrison, in the County of Cumberland, by John Lindsey and Charles Baker of Portland in said County of Cumberland, by their mortgage deed dated June first, A. D. 1835, and duly recorded in the Registry of Deeds in said County of Oxford, and which said Cyrus K. Conant conveyed and assigned to me by his deed dated June seventh, A. D 1838,—And whereas the condition of said mortgage has been broken, the said John Conant claims to foreclose the aforesaid mortgage agreeably to "An Act additional to an Act respecting mortgages and the right in equity of redemption," passed March 28th, 1838.

Dated at Alfred the tenth day of November, A. D 1838.

9—16 JOHN CONANT.

EXECUTOR'S SALE.

BY virtue of license from the Court of Probate for the County of Oxford, there will be sold at Public Auction at the homestead farm of James H. Withington late of Peru deceased, in said County of Oxford on Tuesday the eighteenth day of December next, at ten o'clock A. M. so much of the real estate of the said Withington, including the reversion of the widow's dower, therein, if necessary, as will produce the sum of two hundred and sixty dollars, for the payment of the just debts of said deceased, charges of administration, and incidental charges; said estate consists in all the right and title said Withington had in his homestead farm,—also a lot or parcel of land called the Thurston place, lying in said Peru—also a pew in the meeting house in Rumford, near Alvan Bisbee's.

JOSEPH ADAMS.

Peru, Nov 12, 1838.

Commissioner's Notice.

THE undersigned having been appointed by the Hon. Stephen Emery, Judge of Probate for the County of Oxford, [illegible] the claims of the creditors [illegible] Porter, Esq., late of Waterford, in said County, deceased, hereby give notice that [illegible] are allowed to the said [illegible] their claims against said [illegible] will attend to that service at the [illegible] Brown in said Waterford on the [illegible] and May next, from one to [illegible] of each of those days.

DANIEL BROWN, } Commissioners.
DAN'L CHAPLIN, }

Waterford, Nov. 10, 1838. *3w14

COLLECTOR'S NOTICE—PORTER.

NOTICE is hereby given to the non-resident proprietors and owners of land in the town of Porter in the County of Oxford and State of Maine, that the same are taxed in the bills committed for collection to the undersigned collector of said Porter, for the year 1838, in their respective sums following, viz:—

	Descripton of Range.	No. of Lot.	No. acres.	Value.	Interest.	Tax.	Deficient Highway 1837.	Total.
				$	$	$ c	$ cts	$ c.
Owners names	9	2	50	50	3	2 19	3 0	5 23
Unknown.	9	4					3 0	3 9

And unless said Taxes and all necessary intervening charges are paid to me the subscriber, on or before the twenty-first day of March, next, (1839,) so much of said lands, as will discharge the same, will then be sold at Public Auction, at the store of John Higgins, Esq., in said town of Porter, at ten o'clock in the forenoon, on said day.

ISAAC STANLEY,
Collector of Porter, for 1838.

Porter, Nov. 12, 1838. 14

Threshing Machines.

LUTHER F. PINGREE of Oxford, manufactures the best of Threshing Machines and has two now on hand. He also manufactures at his Shop CLAPBOARD & SHINGLE MACHINES at order, and at the shortest notice.

Oxford, Nov. 6th, 1838. 3—13

NOTICE.

CAME into the inclosure of the subscriber, on the first day of November, one brown Colt, supposed to be three years old. Said colt has a star in the forehead and one white hind foot. The owner is hereby requested to prove property, pay charges, and take the same away.

ISRAEL KIMBALL.

East Bethel, Nov. 13, 1838. 14

THE subscriber hereby gives public notice to all concerned that he has been duly appointed and taken upon himself the trust of Executor of the last Will and Testament of

SOLOMON SHAW,

late of Paris, in the county of Oxford, deceased, by giving bond as the law directs—He therefore requests all persons who are indebted to the said deceased's estate to make immediate payment; and those who have any demands thereon, to exhibit the same to E. H. SHAW.

Paris, Nov. 27, 1838. 3w16

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

JOHN WEBBER,

late of Sweden, in the county of Oxford, deceased, by giving bond as the law directs,—he therefore requests all persons who are indebted to the said deceased's estate, to make immediate payment; and those who have any demands thereon, to exhibit the same to BENJ. WEBBER.

Sweden, Nov. 27, 1838. *3w16

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

DANIEL HOLDEN, Jr.,

late of Sweden, in the county of Oxford, deceased, by giving bond as the law directs, He therefore requests all persons who are indebted to the said deceased's estate, to make immediate payment; and those who have any demands thereon, to exhibit the same to ROLAND HOLDEN.

Sweden Nov. 27, 1838. *3w16

At a Court of Probate held at Paris, within and for the county of Oxford, on the twenty seventh day of November in the year of our Lord eighteen hundred and thirty-eight—

JUDAH DANA & others, Executors of the last Will and Testament of James W. Ripley, late of Fryeburg, in said county, deceased, having presented their third account of administration of the estate of said deceased, and John A Balkam, one of said Executors, having presented his own private claims against said estate,

Ordered,

That the said Executors give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Fryeburg in said county, on the fifteenth day of January next, at ten of the clock in the forenoon, and shew cause if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

3w16 Copy, Attest—*Levi Stowell*, Register.

At a Court of Probate held at Paris, within and for the County of Oxford on the twenty seventh day of November, in the year of our Lord eighteen hundred and thirty-eight—

SAMUEL RICHARDSON, named Executor in a certain instrument purporting to be the last Will and Testament of Richard Richardson, late of Livermore, in said county, deceased, having presented the same for probate:

Ordered,

That the said Executor give notice to all persons interested, by causing a copy this order to be published three weeks successively in the Oxford Democrat printed at Paris, that they may appear at a Probate Court to be held at Paris in said county, on the first day of January next at ten of the clock in the forenoon, and shew cause, if any they have, why the said instrument should not be proved, approved and allowed as the last will and testament of said deceased

STEPHEN EMERY, Judge.

3w16 Copy Attest Levi Stowell, Register.

At a Court of Probate holden at Paris, within and for the County of Oxford, on the twenty-seventh day of November, in the year of our Lord eighteen hundred and thirty-eight—

ON the petition of Reuel Washburn Executor of the last Will and Testament of Amos Perley late of Canton, in said county, deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts, which he owed at the time of his death by the sum of five hundred dollars, and praying for license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges:

Ordered,

That the petitioner give notice thereof to the heirs of said deceased and to all persons interested in said estate, by causing a copy of this order to be published in the Oxford Democrat printed at Paris, in said county, three weeks successively, that they may appear at a Probate Court to be held at Paris, in said County, on the first day of January next, at ten o'clock A. M. and shew cause, if any they have, why the prayer of said petition should not be granted.

STEPHEN EMERY, Judge.

3w16 Copy, Attest—*Levi Stowell*, Register.

At a Court of Probate holden at Paris within and for the county of Oxford, on the twenty seventh day of November, in the year of our Lord eighteen hundred and thirty eight—

ON the petition of Jacob Severy, administrator of the estate of Abijah Douglas, late of Dixfield, in said County deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts, which he owed at the time of his death by the sum of four hundred dollars and praying for a license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges:

Ordered,

That the petitioner give notice thereof to the heirs of said deceased and to all persons interested in said estate, by causing a copy of this order to be published in the Oxford Democrat printed at Paris in said county, three weeks successively, that they may appear at a Probate Court to be holden at Paris in said county, on the first day of January next at ten o'clock, A. M. and shew cause if any they have, why the prayer of said petition should not be granted.

STEPHEN EMERY, Judge.

3w16 Copy, Attest—*Levi Stowell*, Register.

SHERIFF'S SALE.

OXFORD, ss.

TAKEN on Execution and will be sold at Public Vendue on Tuesday the twenty-fifth day of December, A. D. 1838, at two o'clock P. M. at the Store of Daniel Holden, Esq. in Sweden in said county, all the right in equity which Calvin Powers of said Sweden has in and to redeem the following described real estate situated in said Sweden, to wit:—Lot numbered ninety two in the third division of Lots in said Sweden. Said premises or real estate being subject to a Mortgage by said Calvin Powers to Josiah Heald Treasurer of the board of Trustees of the Parsonage or Ministerial fund in Lovell, bearing date November 11, 1828—recorded at the District Registry at Fryeburg in said county, Lib. 10, Folio 143—to secure the payment of three hundred dollars and interest, annually, in one year from date of said mortgage deed to Josiah Heald.

STEPHEN ANDREWS, Deputy Sheriff.

November 13, 1838. 3 16

Sheriff's Sale.

OXFORD, ss.—Dec. 1, 1838.

TO be sold at Public Vendue, by order of Court, on Saturday the fifteenth day of January next, at one of the clock P. M. on the premises, the land and dwelling house thereon, the property of John Taylor, situated near the dwelling house of Nathan Atwood in Buckfield Village, for the purpose of discharging a lien which Rodney Chaffin has, by law, thereon and all necessary costs and charges.

16 DANIEL YOUNG, JR. Dept. Sh'ff.

MORTGAGEE'S NOTICE.

RANDALL FISH gave a mortgage deed to Daniel Hammond & W. & G. Tuckerman & Co. Daniel Brown & Mason Greenwood of a Township of land Numbered One in the Second Range east of Bingham's Kennebec purchase, said township being situated in the County of Oxford, which deed is dated April 29th, 1835, conditioned for the payment of certain notes therein described, by virtue of which deed, the undersigned became seized of one undivided third part of said township in mortgage—and now claims to have possession thereof for condition broken—said notes not having been paid according to their tenor—in order to foreclose the mortgage aforesaid DANIEL BROWN.

Nov. 30, 1838. 3w 16

THE subscriber hereby gives public notice to all concerned, that he has been duly appointed and taken upon himself the trust of Administrator on the estate of

MOSES H. TREADWELL,

late of Waterford in the County of Oxford, deceased, by giving bond as the law directs—He therefore requests all persons who are indebted to the said deceased's estate to make immediate payment; and those who have any demands thereon, to exhibit the same to THOMAS TREADWELL.

Waterford, Nov. 6, 1838. *—13